



~~August 21, 2007 CPC~~  
September 26, 2007 BS

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0377

William B. Simmons

Clover Hill Magisterial District  
South line of Midlothian Turnpike

REQUEST: Conditional Use Planned Development to permit three (3) freestanding signs.

PROPOSED LAND USE:

Three (3) freestanding signs for the purpose of identifying two (2) automobile franchises are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITION ON PAGE 2.

STAFF RECOMMENDATION

Recommend denial for the following reasons:

- A. The current sign standards of the Zoning Ordinance provide adequate identification for uses on the property.
- B. Approval of this request could encourage other businesses to seek similar exceptions.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A

"CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITION

(CPC) The Textural Statement received June 29, 2007, shall be considered the master plan.  
(P)

GENERAL INFORMATION

Location:

South line of Midlothian Turnpike, west of Providence Road. Tax IDs 758-705-2928, 5331 and 5849.

Existing Zoning:

C-5

Size:

5.5 acres

Existing Land Use:

Commercial

Adjacent Zoning and Land Use:

North, East and West – C-3, C-5 and I-1; Commercial  
South – R-7; Single family residential

UTILITIES; ENVIRONMENTAL; AND PUBLIC FACILITIES

This request will have no impact on these facilities.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Eastern Midlothian Plan which suggests the property is appropriate for a mixture of community-scale (C-3) uses.

### Area Development Trends:

Area properties along the Corridor are zoned Community Business (C-3) and General Business (C-5) and are occupied by commercial uses of various intensities.

### Signs:

Currently, two (2) freestanding signs are located on the property identifying the existing automobile dealership's service center and used vehicle sales. The applicant has obtained a second franchise. The applicant proposes a third freestanding sign to identify this new franchise. In addition, the applicant proposes to relocate and replace the existing used vehicle sales sign within the project. As a result, three (3) freestanding signs would be located on the property as identified in the attached Textual Statement.

Currently, the Zoning Ordinance permits one (1) freestanding sign, a maximum of fifty (50) square feet in area (increased to 62.5 square feet with the incorporation of changeable copy) and twenty (20) feet in height, for vehicle sales identification. The two (2) existing freestanding signs were replaced in 2006 in compliance with Ordinance requirements for nonconforming signs. Currently, such signs may be refaced without affecting their nonconforming status, but cannot be replaced. As such, one or both existing signs could be refaced to identify the second franchise.

### CONCLUSION

The purpose and intent of the Zoning Ordinance sign requirements, in part, is to protect and enhance the character of roadways and surrounding areas and to prevent excessive signage, to protect property values and to minimize visual distractions. The Eastern Midlothian Plan notes sign proliferation along the Corridor as a concern, encouraging businesses to replace signs that do not meet existing regulations and to reduce the number of signs along the Corridor.

As previously noted, the two (2) existing freestanding signs were recently replaced with signs that are closer in compliance with today's standards. The current sign standards would permit the refacing of these signs to accommodate identification of the additional franchise. Approval of this request to permit an additional sign for this purpose could encourage other businesses to seek similar exception. While recognizing the importance of promoting economic reinvestment in this Corridor, deviations from the Sign Ordinance will result in failure to bring signs into conformance with today's standards, thereby adversely affecting the aesthetics of the Corridor.

Given these considerations, denial of this request is recommended.

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## CASE HISTORY

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### Planning Commission Meeting (8/21/07):

The applicant accepted the Commission's recommendation. There was no opposition present.

Mr. Gecker noted that the proposed exception would encourage redevelopment and reinvestment in the Corridor.

On motion of Mr. Gecker, seconded by Mr. Wilson, the Commission recommended approval subject to the condition on page 2.

AYES: Messrs. Gecker, Gulley, Bass, Litton and Wilson.

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The Board of Supervisors, on Wednesday, September 26, 2007, beginning at 6:30 p.m., will take under consideration this request.

Textual Statement: Case 07SN0377

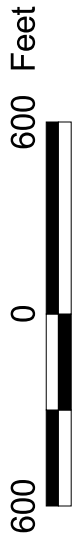
Currently, there are two (2) freestanding Toyota signs on the property, noted as Sign 1 and Sign 2 below. Sign 2 will be relocated within the project and replaced with Sign 3 for the new Suzuki dealership.

Sign 1 (Toyota Service Center)	Area – 78.75 square feet	Height – 24 feet
Sign 2 (Toyota Certified Used)	Area – 57.5 square feet	Height – 19 feet
Sign 3 (Suzuki)	Area – 35.25 square feet	Height – 15 feet

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